

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., November 26, 1996.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Linda Kochendarfer; Councilman W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on November 12, 1996, were approved as distributed.

The City Manager asked Council to consider adding an executive session at the end of the meeting for the following purpose: discussion - purchase of land for the landfill project.

Mr. Gross stated that the County Administrator has asked that the joint City/County Relations Committee meet to discuss the possibility of the County participating in the expansion of the City's Wastewater Treatment Plant.

The Mayor asked the members of the Committee, Councilman Wandrei and Councilwoman Kochendarfer, to work with the City Manager to set up this meeting.

On motion by Councilwoman Kochendarfer, seconded by Councilman Tharp, voted upon and carried unanimously, the following item was added to the agenda as the last item: Executive Session pursuant to Section 2.1-344(a)(3) of the Code of Virginia, as amended, for discussion of acquisition of real property regarding the landfill.

Discussion ensued regarding the parking issue related to the Bedford County Court House. The Director of Planning & Community Development indicated that a written response has not been received from the County but he has met with the County Administrator regarding this issue. Mr. Scudder reviewed with Council alternatives that have been discussed with the County Administrator.

Vice Mayor Brookshier indicated that a neighborhood meeting will be scheduled in December for the Community Drive/Longwood Extension area to address a number of issues that have been raised. Council will be notified of the date of the meeting.

Councilman Tharp thanked Council, the Police Department, and members of the staff for the expressions of sympathy on the death of his father, Glenn W. Tharp.

The Consent Agenda consisted of the following items:

Appointment of Mr. William P. Pickett and Mr. James C. McIvor to four-year terms on the Industrial Development Authority, said terms to expire November 30, 2000. Appointment of Mr. Gordon B. Eubank, Jr., to fill an unexpired term on the Industrial Development Authority, said term to expire November 30, 1997.

Adoption of a resolution canceling the December 24, 1996, regular Council meeting, subject

to call.

On motion by Councilman Tharp, seconded by Councilwoman Flood, voted upon and carried unanimously, Council adopted the Consent Agenda.

The resolution canceling the December 24, 1996, Council meeting follows as adopted:

RESOLUTION

WHEREAS, Section 11 of the Charter of the City of Bedford requires that Council shall "fix the time and place of its meeting," and

WHEREAS, the City Code requires in Section 2-3 that meetings shall be on "the second and fourth Tuesday of each month," and

WHEREAS, the second regular Council meeting in December is scheduled for December 24, 1996, that date being Christmas Eve;

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting scheduled for December 24, 1996 be and the same hereby is canceled, and that a called meeting will be held if necessary; and

BE IT FURTHER RESOLVED that the Council meeting of December 10, 1996 be adjourned to January 14, 1997.

Mr. Leighton T. Langford, Director, Bedford County Department of Social Services, gave Council an overview and an update on the Comprehensive Services Act for At Risk Youth. Mr. Langford indicated that the Act for At Risk Youth has placed most localities in the Commonwealth in somewhat precarious financial positions concerning foster children. A report listing the annual cost and number of children in foster care from the City was reviewed by Mr. Langford.

Discussion ensued.

Assistant City Manager Thompson suggested that an item be included on the agenda of the next regular Council meeting for appointment of a representative from the City to work with the Community Policy and Management Team.

Further discussion ensued.

The Mayor indicated that Council's concerns need to rest in a couple of areas: 1. having direct involvement and participation with the Management Team and 2. addressing very strongly with the General Assembly that they should not exempt themselves from paying the bill.

City Manager Gross stated that when the City applied for the Community Development Block Grant funds for the Greater King Street neighborhood rehabilitation, the City agreed to make some cash expenditures of \$15,000 for demolitions. These funds are to be expended on five demolitions associated with clearance activity in the area. The City Manager indicated that the actual grant award was made after the budget process and at this time, Council needs to appropriate the City's matching share from the unappropriated

contingency.

Councilwoman Kochendarfer moved that Council appropriate \$15,000 from the unappropriated contingency to Account No. 103428.3150 for demolitions in the Greater King Street area. The motion was seconded by Councilman Tharp, voted upon and carried unanimously by the following roll call vote:

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Mayor Shelton aye

Councilman Tharp moved that Council adjourn into executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(1), for interviews with applicants for appointment to the City Planning Commission. The motion was seconded by Councilman Wandrei, voted upon and carried by the following roll call vote:

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye Mayor Shelton aye

Council adjourned into executive session at 8:20 p.m. Non-council member attending: James A. Reynolds.

Council reconvened into open session at 8:52 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilman Wandrei moved that the certification be adopted. The motion was seconded by Councilman Ballard, voted upon and carried unanimously.

On motion by Councilman Wandrei, seconded by Councilman Tharp, voted upon and carried unanimously, Council appointed Mr. James A. Reynolds to the Planning Commission to fill a vacancy for an unexpired term, said term to expire March 31, 1997.

Councilman Wandrei moved that Council adjourn into executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(3), for discussion of the acquisition of real property regarding the landfill. The motion was seconded by Councilwoman Flood, voted upon and carried by the following roll call vote:

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Vice Mayor Brookshier aye

Mayor Shelton aye

Council adjourned into executive session at 8:54 p.m. Non-council members attending were: City Manager Gross, City Attorney Berry, Director of Planning & Community Development Scudder, Director of Public Works Gibson, Landfill Attendant Dellis, and Clerk of the Council Hatcher.

Council reconvened into open session at 9:20 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilman Tharp moved that the resolution be adopted. The motion was seconded by Councilman Wandrei, voted upon and carried by the following roll call vote:

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Mayor Shelton aye

City Manager Gross stated that as part of the Regional Radio System, a site is required on No Business Mountain in order to place microwave dishes and transmitting antennae. U. S. Cellular has agreed, without any costs, to set up its tower in such a way that it will have the capacity to hold the Regional Radio System's antennae, which saves the cost of constructing an additional tower. U. S. Cellular has also agreed to allow the Regional Radio System to use space on the ground of their property to put a building to house some of the equipment.

The City Manager stated U. S. Cellular is planning to put up a tower on Helm Street which may be in operation by the first of the year. The City will soon be discussing leasing arrangements with U. S. Cellular.

Vice Mayor Brookshier commended the City Manager and City Attorney for the excellent job they did in making the arrangements with U. S. Cellular regarding the Regional Radio equipment on No Business Mountain, and Mr. Brookshier noted these arrangements resulted in monetary savings.

A brief discussion ensued regarding the dental clinic at Bedford Primary School and the tipping fees charged to commercial leaf haulers at the City Landfill.

Mayor Shelton adjourned the meeting at 9:32 p.m.